

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KARL JOSEPH SCHMIEDING,)	
)	
Petitioner,)	
)	Civil Action No. 11-103 Erie
v.)	
)	
COMMONWEALTH OF)	
PENNSYLVANIA, et al.,)	
)	
Respondents.)	

MEMORANDUM ORDER

This habeas corpus action was received by the Clerk of Court on May 5, 2011 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 13], filed on October 19, 2011, recommended that the Petition be transferred to the United States District Court for the Middle District of Pennsylvania forthwith. The parties were allowed fourteen (14) days from the date of service to file objections and service was made on Petitioner by certified mail. No objections were filed. After de novo review of the Petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 8th day of November, 2011;

IT IS HEREBY ORDERED that the Petitioner's Petition for Writ of Habeas Corpus is TRANSFERRED forthwith to the United States District Court for the Middle District of Pennsylvania.

The Report and Recommendation [ECF No. 13] of Magistrate Judge Baxter, filed on October 19, 2011, is adopted as the opinion of the Court.

The Clerk is directed to mark the case closed.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge